IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.26780 of 2008
MITHILESH MISHRA
Versus
THE STATE OF BIHAR
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2 06.08.2008 Heard learned counsel for the petitioner and the State.

The petitioner is an accused in a case registered under Sections 323, 342, 302/34 of the Indian Penal Code.

Besides, the petitioner three more persons are named as accused. The occurrence relates to the night of 28th October, 2007. According to the allegation, dispute arose and Birendra Rai tried to intervene. Accused persons surrounded him and assaulted him by fist and slaps. Allegation is that the petitioner has assaulted with iron rod and there was an injury on his head.

Submission is that a case was lodged previously vide Shastrinagar, P.S. Case No. 296/2007 against Birendra Rai Roy and others. The informant is cousin of Birendra Roy and due to that motive the case was lodged. He is in custody since 22.02.2007 and other named two accused namely, Nawlesh Mishra and Raghavendra Mishra have been granted bail.

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Considering the facts and circumstances, the petitioner Mithilesh Mishra is ordered to be released on bail on furnishing bail bond of Rs. 10,000/ (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with S. K. Puri P.S. Case No. 195/2007.

Kundan **(Shyam Kishore Sharma, J.)**

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